

## APPENDIX C.

EXECUTIVE VETOES FILED WITH  
THE SECRETARY OF STATE  
AFTER ADJOURNMENT OF  
THE LEGISLATURE.

(Published as appendix to the Journal for information. It is through the kindness and courtesy of Roy M. Edmonds, stenographer to the Governor, that I have obtained official copies of these documents.—JOURNAL CLERK.)

*To the Secretary of State:*

House bill No. 78, entitled "An Act to amend Chapter 69, of the Acts of the Twenty-sixth Legislature, to repeal all laws in conflict therewith and to declare an emergency," is herewith transmitted, disapproved for the following reasons:

Section 35, of Article 3, of the Constitution, provides that "no bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated) shall contain more than one subject, which shall be expressed in its title."

The Supreme Court in construing this provision of the Constitution in the case of *Jot Gunter vs. Texas Land and Mortgage Company, Limited*, Volume 82, Texas Supreme Court Reports, has held:

1. It must be deemed settled that this provision is mandatory, and hence binding upon every department of the government.

2. It cannot be said that its subject is expressed in the title when the title does no more than to furnish a reference to some other writing, document, or law from which, by search, the true purpose of the bill may be discovered.

The title of the bill under consideration not being in compliance with this provision of the Constitution, as construed in the case cited, the bill, therefore, is void.

Again, the purpose of the bill, as shown in its body, is to authorize the commissioners court of any county in which an unincorporated town or village may be situated, to designate the lines of such town or village, and to appoint a board of health for such town. The act of which the bill is amendatory, that is, Chapter 69, of the Acts of the Twenty-sixth Legislature, is entitled "An Act to prohibit the taking of fish from the fresh water lakes and streams of this

State, otherwise than by the ordinary hook and line and trot line, and to prohibit the sale or shipping of game fish in the State, and to provide penalties for the violations thereof."

If the bill could and should become law, it would have the effect to repeal the act of which it is amendatory, substituting therefor the bill under consideration, which is altogether different in character and for an entirely different purpose.

JOSEPH D. SAYERS,  
Governor.

April 23, 1901.